

REMARKS

As a preliminary matter, this Election/Restriction Requirement was only first received by Applicant's representative on May 7, 2002, by facsimile transmission. Accordingly, Applicant timely filed a Petition to Reset a Time Period to Reply Pursuant to 37 C.F.R. 1.181 on May 17, 2002. Applicant therefore again respectfully requests that this Petition be granted. Until the Petition is granted, however, Applicant has included with this Response a Petition for Extension of Time to extend the time to reply until June 6, 2002, solely to prevent the Application from going abandoned.

Applicant traverses the outstanding Election/Restriction Requirements because the Examiner has failed to make out a *prima facie* case that, if the claims of both Groups I (claims 1-5) and II (claim 6) were examined together, a serious burden would be imposed upon the Examiner. See Section 803 of the MPEP. Section 803 requires that, if a search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

Quite the contrary, it would appear from the present Application that no serious burden exists upon the Examiner, because the same, or a very similar, search is believed to be required for proper examination of all of the pending claims. Both independent claims 1 and 6 include the similar steps of forming a magnetizable layer on the surface of a substrate, and cutting the substrate to form at least one raw bar. Applicant respectfully submits that the classes and subclasses required to be searched for a proper examination of either identified

group would likely be the same. Minimal, if any, additional searching would therefore be required if claim 6 were to be examined with claims 1-5.

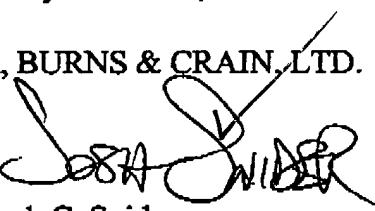
Additionally, because the non-elected Group II only includes one claim, the examination of Group II with elected Group I would be even less likely to pose any serious burden upon the Examiner.

For all of the foregoing reasons, Applicant respectfully requests that the Election/Restriction Requirement be withdrawn, and that all of the claims of the present invention be examined together.

Respectfully submitted,

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By


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